

$R^3$  is hydrogen or alkyl of 1 to 6 carbon atoms;

$Z$  is -S-, -CH<sub>2</sub>-, or -CR<sup>4</sup>=CR<sup>5</sup>-, where  $R^4$  and  $R^5$  are independently selected from the group consisting of hydrogen or alkyl of 1 to 6 carbon atoms;

$A$  is a bivalent radical -CH<sub>2</sub>-CH<sub>2</sub>-, -CH<sub>2</sub>-CH<sub>2</sub>-CH<sub>2</sub>- or CR<sup>6</sup>=CR<sup>7</sup>-, where  $R^6$  and  $R^7$  are independently selected from the group consisting of hydrogen, halo, amino or alkyl of 1 to 6 carbon atoms; and

$R^8$  is hydrogen or hydroxyl.

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**Remarks**

Subsequent to receipt of the Notice of Allowability for claims 31-52, Applicants discovered an inadvertent omission in independent claim 37. Particularly, claim 37 should recite that an organic phase is formed by dissolving a biodegradable and biocompatible polymer and the 1,2-benzazole. The language added to claim 37 by the amendment herein was inadvertently omitted in the Second Preliminary Amendment (see, for example, claim 31).

Reconsideration of this application and entry of the above Amendment are respectfully requested.

Respectfully submitted,

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Date: Dec. 22, 1997

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